

REMARKS

Entry of this Amendment After Final Rejection is respectfully requested. This Amendment does not raise any new issues or require any new searching by the Examiner. Furthermore, it is believed that upon entry of this Amendment, the application will be in condition for allowance. Accordingly, entry of this Amendment and reconsideration in light thereof are respectfully requested.

Prior to responding to the issues raised in the Office Action, a brief recall of the file history is believed to be helpful. A First Office Action rejecting the claims as described below, was mailed on November 30, 2004. A response to the November 30, 2004 Office Action submitting the Terminal Disclaimer forms signed by an agent not of record was mailed on December 13, 2004. A Final Office Action rejecting the Terminal Disclaimer forms as being signed by an agent not of record was mailed on February 24, 2005. A response to the February 24, 2005 Final Office Action submitting Terminal Disclaimer forms signed by an attorney of record was mailed on March 17, 2005. An Advisory Action was mailed on April 5, 2005, stating that the March 17, 2005 Response does not take appropriate action to address double patenting rejections.

In an effort to have all of the required paperwork present to overcome the rejections of record and to expedite allowance of the instant application, copies of the appropriate Terminal Disclaimer forms that were signed by an attorney of record and that were previously submitted, are enclosed.

In the Office Action, the Examiner provisionally rejected claims 1-3, 6, 8-13 and 17 of the instant application under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 and 13 of the copending Application No. 10/268,526. As indicated in the Office Action by the Examiner, a timely filed Terminal Disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting ground provided the conflicting application is shown to be commonly owned with the instant application. Accordingly, the Applicants hereby enclose a copy of the Terminal Disclaimer previously submitted, signed by the attorney of record in the instant application, disclaiming a terminal part of the statutory term of a patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of a patent granted on Application No. 10/268,526. The Applicants also submit Statements Under 37 C.F.R. 3.37(b) indicating the ownership of the instant application and application serial no. 10/268,526. Accordingly, the Applicants respectfully request this rejection be withdrawn.

In the Office Action, the Examiner provisionally rejected claims 14-16 & 18 of the instant application under 35 U.S.C. 101, as claiming the same invention as claims 10-12 & 14 of the copending Application No. 10/268,526. In response to this rejection, claims 14, 15, 17 & 18 of the instant application are hereby canceled. Independent claim 1, upon which claim 16 is dependent, in the instant application has been amended herein to claim a coating made from a mixture of polyamines only. The

independent claim 1, upon which claims 10-12 & 14 of application serial no. 10/268,256 depend, claims a coating made from a polyamine polymer. Hence, the dependent claim 16 now claims a subject matter that is different from the subject matter claimed in any of claims 10-12 & 14 of the copending application serial no. 10/268,256. Accordingly, the Applicants respectfully request this rejection be withdrawn.

In the Office Action, the Examiner provisionally rejected claims 1, 2, 9-14, 17 & 19-25 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6, 9 & 11-19 of the copending Application No. 10/720,574. As indicated in the Office Action by the Examiner, a timely filed Terminal Disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting ground provided the conflicting application is shown to be commonly owned with the instant application. Accordingly, the Applicants hereby enclose a copy of the Terminal Disclaimer previously submitted, signed by the attorney of record in the instant application, disclaiming a terminal part of the statutory term of a patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of a patent granted on Application No. 10/720,574. The Applicants also submit Statements Under 37 C.F.R 3.37(b) indicating the ownership of the instant application and Application No. 10/720,574. Accordingly, the Applicants respectfully request this rejection be withdrawn.

In the Office Action, the Examiner provisionally rejected claims 14 & 15 of the instant application under 35 U.S.C. 101, as claiming the same invention as claims 7 & 8 of the copending Application No. 10/720,574. In response to this rejection, claims 14 & 15 of the instant application are hereby canceled. Accordingly, the Applicants respectfully request this rejection be withdrawn.

In the Office Action, the Examiner provisionally rejected claims 1, 2, 9-14, 17 & 19-25 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6, 9 & 11-19 of the copending Application No. 10/460,610. As indicated in the Office Action by the Examiner, a timely filed Terminal Disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting ground provided the conflicting application is shown to be commonly owned with the instant application. Accordingly, the Applicants hereby enclose a copy of the Terminal Disclaimer previously submitted, signed by the attorney of record in the instant application, disclaiming a terminal part of the statutory term of a patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of a patent granted on Application No. 10/460,610. The Applicants also submit Statements Under 37 C.F.R 3.37(b) indicating the ownership of the instant application and Application No. 10/460,610. Accordingly, the Applicants respectfully request this rejection be withdrawn.

In the Office Action, the Examiner provisionally rejected claims 14 & 15 of the instant application under 35 U.S.C. 101, as claiming the same invention as claims 7 & 8 of the copending

Application No. 10/460,610. In response to this rejection, claims 14 & 15 of the instant application are hereby canceled. Accordingly, the Applicants respectfully request this rejection be withdrawn.

In the Office Action, the Examiner provisionally rejected claims 1-3, 6, 8-13 & 17-25 of the instant application under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 & 13-21 of the copending Application No. 10/460,434. As indicated in the Office Action by the Examiner, a timely filed Terminal Disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting ground provided the conflicting application is shown to be commonly owned with the instant application. Accordingly, the Applicants hereby enclose a copy of the Terminal Disclaimer previously submitted, signed by the attorney of record in the instant application, disclaiming a terminal part of the statutory term of a patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of a patent granted on Application No. 10/460,434. The Applicants also submit Statements Under 37 C.F.R. 3.37(b) indicating the ownership of the instant application and application serial no. 10/460,434. Accordingly, the applicants respectfully request this rejection be withdrawn.

In the Office Action, the Examiner provisionally rejected claims 14-16 & 18 of the instant application under 35 U.S.C. 101, as claiming the same invention as claims 10-12 & 14 of the copending Application No. 10/460,434. In response to this rejection, claims 10-12 & 14 of the application serial no. 10/460,434 were canceled in the Amendment filed for that application concurrently. Accordingly, the applicants respectfully request this rejection be withdrawn.

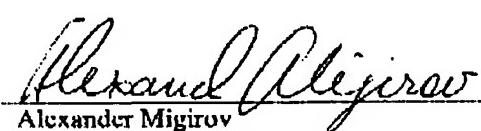
In the Office Action, the Examiner indicated that claims 4, 5 & 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants gratefully acknowledge Examiner's indication of the allowable subject matter of claims 4, 5 & 7. Claims 4, 5 & 7 depend upon a rejected claim 1. The Applicants believe that claim 1 as amended herein is in condition for allowance. Therefore, the dependent claims 4, 5 & 7 are allowable.

The Commissioner is authorized to charge the fees associated with the enclosed Terminal Disclaimer forms and any other fee occasioned by this paper to the Deposit Account 12-1295.

In view of the above, it is believed that the present application is now in condition for allowance and a favorable action is respectfully requested.

Respectfully submitted,  
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